

PATENT
Serial No. 09/876,690
Amendment in Reply to Office Action of October 18, 2005

IN THE DRAWING

Please replace FIG 3 with the enclosed replacement FIG 3.

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendment, FIG 3 has been amended to correct an error noted upon review, where the second reference numerals 321 and 322 at the bottom of FIG 3 have been replaced with reference numerals 340 and 342, in conformance with the specification, such as on page 16, line 25, and page 17, lines 1, 4 and 6-7. A replacement sheet including FIG 3 is enclosed. Further, an annotated drawing sheet with marked-ups in red of the sheet showing changes to FIG 3 is enclosed for convenience. Applicants respectfully request approval of the enclosed proposed drawing changes.

By means of the present amendment, the specification has been amended to correct certain informalities including conformance with the drawings.

By means of the present amendment, claims 3-6, 9-10, 12, 15-16 and 18 have been amended to correct certain informalities noted upon review thereof. Claims 3-6, 9-10, 12, 15-16 and 18 were not

amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 7-8 and 13-14 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0087506 (Judd). Further, claims 1-6, 9-12 and 15-18 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Judd in view of U.S. Patent No. 6,192,112 (Rapaport). It is respectfully submitted that claims 1-10, 12-16 and 18-21 are patentable over Judd and Rapaport for at least the following reasons.

Judd is directed to a medical imaging system to allow any conventional Internet browser to function as a medical workstation. As recited on page 2, paragraph [0024], a primary physician is notified via e-mail or pager as soon as imaging has been completed. Thus, the physician does not have to wait by the imaging equipment for the image completion. Instead, the "post engine 28 sends an e-mail notification, via an e-mail server 20 (FIG. 2) to the person submitting the request when the computations are complete, thereby allowing the requester to do other tasks." (Emphasis added) Page 2, paragraph [0026] further recites:

to view the images at the same time the primary physician and/or patient reads the written report. (Emphasis added)

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 7 and 13, amongst other patentable elements, requires:

informing a user of arrival of the new information when the user is reviewing the study to which the new information corresponds. (Emphasis added)

This feature is nowhere taught or suggested Judd. It is respectfully submitted that viewing the images at the same time as reading the written report is not the same, and different from, informing the user of arrival of the new information when the user is reviewing the study. Rapaport is cited to show flags and does not remedy the deficiencies in Judd.

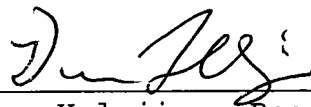
Accordingly, it is respectfully submitted that independent claims 1, 7 and 13 are allowable, and allowance thereof is respectfully requested. In addition, as claims 2-6, 8-10, 12, 14-16 and 18-21 depend from independent claims 1 7 and 13, Applicants respectfully request that claims 2-6, 8-10, 12, 14-16 and 18-21 also be allowed.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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Attorney for Applicant(s)
January 13, 2006

Enclosure: Replacement drawing sheet (1 sheet with FIG 3)
Annotated drawing sheet (1 sheet with FIG 3)

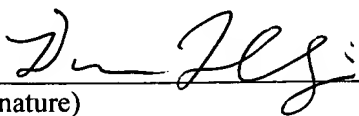
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Annotated Sheet
Reply to Office Action of 10/18/05

S/N 09/876,690

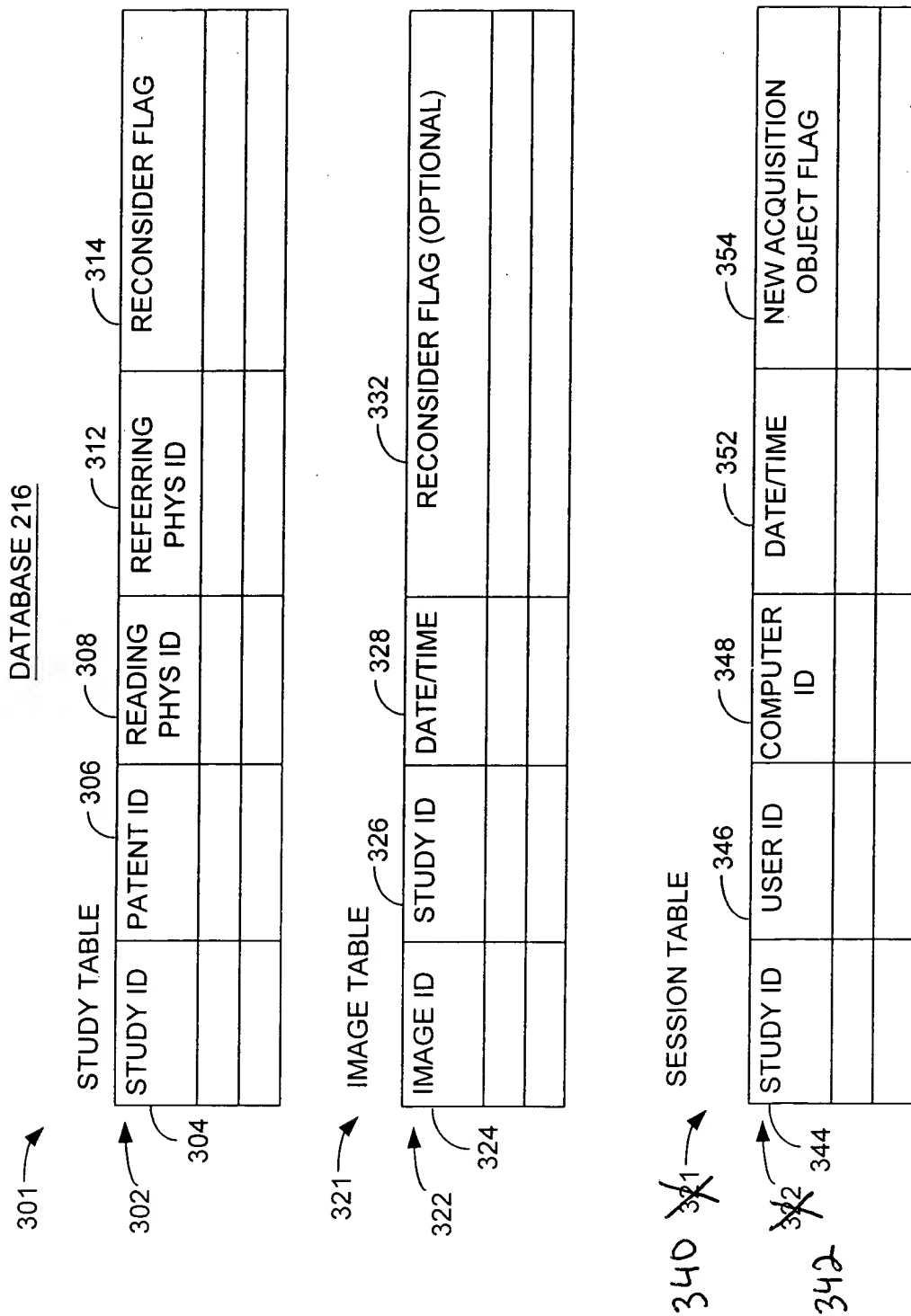


FIG. 3